

IN THE UNITED STATES FEDERAL DISTRICT COURT
MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

UNITED STATES OF AMERICA,
Plaintiff,

vs.

HENRY THOMAS
Defendants.

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* CR. NO. 2:06cr294WKW
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MOTION TO APPOINT EXPERT

COMES, James R. Cooper, Jr. who moves this Court provide funds and permission for Mr. Thomas to employ an expert and states in support thereof as follows:

1. On February 16, 2007, at the Pre-Trial Conference the government provided new information and discovery that they intend to use at trial.
2. That new discovery, provided on that day consists of :
 - A. A hand writing analysis of the endorsement of certain checks alleged to have been stolen in a post office robbery. The government report indicates that Mr. Thomas , " probably wrote" the endorsements.
 - B. A palm print supposedly from Mr. Thomas found on some exhibits. Those exhibits have not been provided at this time or they are mislabeled. In any case, discovery provided heretofore does not contain any of the exhibits referenced to in that government's handwriting report.
 - C. Two video tapes of poor quality, both of which purport to show Mr. Thomas cashing a stolen check.
3. Mr. Thomas needs to employ an hand writing analysis expert, a palm print expert and a video expert in order to prepare for trial. Without their expert testimony, Mr. Thomas cannot defend himself.

Wherefore Mr. Thomas requests the following relief:

1. That this court authorize the appointment and payment of experts in the fields of

palm prints, handwriting and videos.

2. All other appropriate relief.

RESPECTFULLY SUBMITTED,

s/James R. Cooper, Jr. (COO021)
COOPER & COOPER
Attorney for Defendant
312 Scott Street
Montgomery, AL 36104
(334) 262-4887

CERTIFICATE OF SERVICE

I hereby certify that on this the 22nd day of February, 2007, I have served a copy of the foregoing **Motion to Appoint Expert** upon Ms. Susan Redmond , Asst. U.S. Attorney, P.O. Box 197, Montgomery, Alabama 36101 and by electronic case filing, by placing a copy of same in the United States Mail properly addressed and postage prepaid.

s/James R. Cooper, Jr. (COO021)